



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

154,00 101
130,00 105 PW

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
08/187,002	12/13/93	GAINHORN	J 0357 X

08/187,002 12/13/93 GAINHORN

RECEIVED

JUN 29 1994

APPLICATION BRANCH

DATE MAILED: 04/14/94

**NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 111.00 for large entities or \$ 101.00 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e)...

If all required items on this form are filed within the period set below, the total amount owed by applicant as a large entity, small entity (verified statement filed), is \$ 286.00

Applicant is given ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE of this application, WHICHEVER IS LATER, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1. The statutory basic filing fee is: missing insufficient. Applicant as a large entity small entity, must submit \$ 111.00 to complete the basic filing fee.
2. Additional claim fees of \$ 111.00 as a large entity, small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
3. The oath or declaration:
 - is missing.
 - does not cover items omitted at time of execution.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.

4. The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
5. The signature to the oath or declaration is: missing; a reproduction; by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

6. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

7. The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ _____ under 37 CFR 1.17(k), unless this fee has already been paid.
8. A \$ _____ processing fee is required for returned checks. (37 CFR 1.21(m)).
9. Your filing receipt was mailed in error because check was returned without payment.
10. The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.

11. Other _____

Direct the response and any questions about this notice to the Application Processing Division, Special Processing and Correspondence Branch (703) 356-1202.

Application Processing
Division, Special Processing and Correspondence Branch (703) 356-1202

A copy of this notice MUST be returned with the response.

COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re PATENT application of)
JOSEPH B. SAINTON)
Serial No. 08/167,002)
Filed: December 15, 1993)
For: APPARATUS AND METHODS)
FOR NETWORKING OMNI-)
MODAL RADIO DEVICES)

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION - FILING DATE GRANTED**

Honorable Commissioner of Patents and Trademarks

Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted dated January 11, 1994, submitted herewith are the following documents for filing in the above-referenced application:

1. Declaration & Power of Attorney
2. Copy of Notice to File Missing Parts of Application - Filing Date Granted
3. Notice to Inventor - Duty of Disclosure and Inventorship
5. Petition for Extension of Time
4. Statutory Basic Filing Fee and Surcharge, as calculated below.

A.	For	No. Filed	No. Extra	Rate	Fee
	Basic Fee				\$355/\$710
	Total Claims	22	- 20 =	2	x \$11/\$22
	Indep. Claims	2	- 3 =	0	x \$37/\$74
					+ \$115/\$230
	Multiple Dependent Claim				
	X Surcharge			+ \$65/\$130	130.00
				Total	\$ 884.00

5. A check in the amount of \$2,204.00 (filing fee - \$884.00; extension fee - \$1,320.00) is attached to cover the filing fee and surcharge.

All formal requirements now having been met, it is requested that the Official Filing Receipt be issued.

The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 (except the Issue Fee) which may be required now or hereafter, or credit any overpayment, to Deposit Account No. 19-2380 (0357-3/cml). A duplicate of this sheet is attached.

Respectfully submitted,



Evan R. Smith
Evan R. Smith
Reg. No. 35,683

Sixbey, Friedman, Leedom & Ferguson, P.C.
2010 Corporate Ridge, Suite 600
McLean, Virginia 22102
(703) 790-9110



26X1 ST.071 5-31-95
2611

Docket: 0357-0003

H10

Rose

8-24-95
Urban, Edward

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OFFICE EMPLOYEE.

In re PATENT application of)
JOSEPH SAINTON)
Serial No. 08/167,002)
Filed: December 15, 1993)
For: APPARATUS AND METHODS)
FOR NETWORKING OMNI-)
MODAL RADIO DEVICES)
Examiner: E. Urban)
ATTENTION: Group 2600)

— PROPRIETARY — }



NOTICE TO INVENTOR

DUTY OF DISCLOSURE AND INVENTORSHIP

TO: Joseph B. Saiton
FROM: Charles M. Leedom, Jr.
DATE: June 10, 1994
SUBJECT: APPARATUS AND METHODS FOR NETWORKING OMNI-MODAL
RADIO DEVICES

Enclosed please find the draft of your patent application.

Before executing the application, you should know that the U.S. Patent and Trademark Office (Patent Office) imposes a duty of good faith and candor on inventors. Included is the duty to disclose all information you know of that is material to the patent application.

"Information" is considered material by the Patent Office if it, taken by itself or in combination with other information, could show unpatentability when the claims are given their broadest reasonable interpretation or could be considered inconsistent with a position taken by the applicant(s) to show patentability. "Information" must be forwarded to the Patent Office despite the fact that other information could establish patentability, such as commercial success data or comparative test results. Some examples of such "information" are:

- prior published patents, articles, product announcements, technical reports, or lectures;
- evidence that the claimed invention was in public use, demonstrated publicly, or on sale more than one year before the filing date of the U.S. application;
- information that the claimed invention was made in the U.S. by someone other than the inventor named in the application.
- related pending patent applications known to you.

Materiality of information of the type exemplified by, but not limited to that listed above, is measured by the scope of the claims in an application, particularly the broadest claims. Therefore, your attention is particularly directed to claims 1 and 13, which you should carefully read and fully understand.

To comply fully with the duty of disclosure imposed by the PTO, you should notify us of any further material information pertinent to the claimed invention which would add to the prior art discussed in the Background Art section of your application.

If you first have any questions regarding your application, the scope of the claims therein, or your obligations as an inventor, call me as soon as possible. Additionally, the correct inventors must be named in a patent application or the resulting patent can be declared invalid. An inventor is defined as one who conceives of the solution to a problem; the solution is the invention. The invention is legally defined in the claims of the patent application which are located at the end of the application. Please make sure you understand the claims and contact us if you have any questions. As further guidance regarding inventorship, an inventor must make some contribution to the inventive thought and final result, although conception of the entire solution is not required. Merely suggesting a desired result without suggesting means for attaining the result, or merely following the instructions or directions of others is insufficient. Joint inventors need not work physically together with each other although some form of collaboration between joint inventors during development of the invention is required. Joint inventors need not make identical contributions nor contribute to the subject matter of every claim, but an inventor must contribute to the subject matter of at least one claim. If you are still unclear as to who is an inventor, please contact us.

ACKNOWLEDGEMENT

I am aware that the Patent and Trademark Office has imposed on inventors a duty of good faith and candor, including a duty to disclose any material information relating to my application. I am also aware that only the correct inventors may be named as such. I hereby acknowledge that, to the best of my knowledge and belief, I have disclosed to Charles M. Leedom, Jr. all such material information.

6-14-94

Date

Joseph B. Sainton

Joseph B. Sainton

Please return this acknowledgement, along with the executed patent application, promptly. If you first have any questions regarding your application, the scope of the claims therein, or your obligations as an inventor, call me as soon as possible.